

Wetlands Bureau Decision Report

Decisions Taken
03/07/2011 to 03/13/2011

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to George "Chip" Kimball, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2010-02933 NH DEPT OF TRANSPORTATION
ALSTEAD Warren Brook

Requested Action:

Reconstruct 2.4 miles of NH Rte 123 including drainage improvements, guardrails, utility work and bridge work impacting 55,386 sq. ft. (16,854 sq. ft. temporary) of riverine and palustrine wetlands.

Conservation Commission/Staff Comments:

Cons. Comm. - no comment

APPROVE PERMIT:

Reconstruct 2.4 miles of NH Rte 123 including drainage improvements, guardrails, utility work and bridge work impacting 55,386 sq. ft. (16,854 sq. ft. temporary) of riverine and palustrine wetlands. (NHDOT project #14540M)

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design dated 10/10 as received by the Department on Oct 22, 2010.
2. A detail plan of the proposed overflow pipe and associated work near STA 134 to 135 shall be submitted prior to construction.
3. This permit is contingent upon the submission of a project specific stream diversion and erosion control plans to the DES Wetlands Bureau at least 10 working days in advance of the meeting to be held as required by permit condition #3. Those plans shall be complete and shall include details regarding the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
4. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site, at the NHDES Office in Concord, N.H. or NHDOT Office in Concord, N.H. to review the conditions of this wetlands permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
5. This permit is contingent upon the submission of stamped engineering plans relative to and specifically addressing each requirement of rule Env Wt 404.04 for the bank stabilization design and shall be received prior to any construction.
6. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
7. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
8. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
9. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
10. Temporary cofferdams shall be entirely removed immediately following construction.
11. Construction equipment shall not be located within surface waters.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
13. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
14. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
15. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes

steeper than 2:1.

16. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
17. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
18. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
19. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
20. The impacts associated with the temporary work shall be restored immediately following construction.
21. Stream bank planting areas shall have at least 75% successful establishment of vegetation after two (2) growing seasons, or shall be replanted and re-established in a manner satisfactory to the DES Wetlands Bureau.
22. Planting plan near station 124+00 shall incorporate hemlock (*Tsuga canadensis*).
23. The applicant is to coordinate with NH Fish and Game Dept. to assure there are no impacts to the restoration area near Griffin Hill Road.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c) and (i), disturbance of more than 20,000 sq. ft. of nontidal wetlands or banks and more than 200 linear feet of impacts to a stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the project area on November 10, 2009. Field inspection determined that the October 2005 flooding scoured the wetlands, waterways, and banks causing significant damage to the highways, roadways, bridges and culverts within the watershed.
6. As a result of the widespread flooding damage and federally declared emergency, the DES finds that addressing the mitigation rules would not be necessary on this publicly funded project because of its restoration goals.
7. Natural Resource Agency meetings were held at the NH Dept. of Transportation on March 15 and November 15, 2006, August 19, 2009 and September 15, 2010 to coordinate the project.
8. The project will upgrade culverts and bridges and will improve public safety.
9. DES Staff finds that this project will not have a significant impact on these palustrine and riverine resources and are not at areas of substantial public interest where issues have been raised pursuant to RSA 482-A:1. Therefore, a public hearing is not required.

2010-03368 THE LEDGES AT NEWFOUND LAKE
ALEXANDRIA Newfound Lake

Requested Action:

Construct 37 linear feet and 18 linear feet of retaining wall to construct a 820 sq ft perched beach with 30 cubic yards of sand in the location of an access road, add fill and native vegetation behind the constructed perched beach on the road bed, and replenish 3300 sq ft sloped beach with 61 cubic yards of sand on an average of 1267 ft of frontage on Newfound Lake, in Alexandria.

Conservation Commission/Staff Comments:

No Com Com comments by Jan 10, 2011

APPROVE PERMIT:

Construct 37 linear feet and 18 linear feet of retaining wall to construct a 820 sq ft perched beach with 30 cubic yards of sand in the location of an access road, add fill and native vegetation behind the constructed perched beach on the road bed, and replenish 3300 sq ft sloped beach with 61 cubic yards of sand on an average of 1267 ft of frontage on Newfound Lake, in Alexandria.

With Conditions:

1. All work shall be in accordance with plans by New Hampshire Environmental Consultants revision dated February 15, 2011, as

received by the NH Department of Environmental Services (DES) on February 17, 2011.

2. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
3. No more than 91 cu yd of sand may be used and all sand shall be located above the normal high water line.
4. This permit shall be used only once, and does not allow for annual beach replenishment.
5. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
6. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(o), replenishment of a beach with more than 20 cubic yards of sand.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed project is removing a gravel access road directly to the waterbody and adding vegetation and a perched beach in this location.

2011-00301 SOUTH DOWN BOAT CLUB ASSOC
LACONIA Lake Winnepesaukee

Requested Action:

Repair an existing 24 ft x 60 ft concrete dock to the same dimensions, replace existing piles as needed, add up to 10 new support piles at the locations indicated on the approved plan, with no change in dimensions or configuration, on a major docking facility on frontage along Lake Winnepesaukee, in Laconia.

Conservation Commission/Staff Comments:

No comments from Con Com by Feb 08, 2011

APPROVE PERMIT:

Repair an existing 24 ft x 60 ft concrete dock to the same dimensions, replace existing piles as needed, add up to 10 new support piles at the locations indicated on the approved plan, with no change in dimensions or configuration, on a major docking facility on frontage along Lake Winnepesaukee, in Laconia.

With Conditions:

1. All work shall be in accordance with plans by HL Turner Group dated January 07, 2011, as received by the NH Department of Environmental Services (DES) on February 03, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided,

and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.

8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.

9. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c), modification of a major docking facility.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. Public hearing is waived with the finding that the project impacts will not impair the resources of Lake Winnepesaukee.
6. DES file 2010-705 included a plan of the entire docking facility. The plan submitted with this application is to repair the concrete docking section and modify the supports of the concrete docking section only.
7. The addition of the piles will not increase the square footage of impact to the waterbody. All impacts are located within previously impacted area and provide further support for the docking structure.
8. The local Conservation Commission did not submit comments by February 22, 2011.

-Send to Governor and Executive Council-

MINOR IMPACT PROJECT

2005-01981 SEDLARI CONSTRUCTION LLC
ALTON Unnamed Wetland

Requested Action:

Request to waive Administrative Rule Env-Wt 502.01 which states "issued permits and completed permit by notifications shall have a duration of 5 years..."

Conservation Commission/Staff Comments:

APPROVE TIME EXTENSION:

Dredge and fill 7,800 square feet of wetlands, including 195 linear feet of seasonal stream, for access to a 16 lot subdivision.

With Conditions:

DES reaffirms original the permit conditions no.'s 1-14 & 16:

1. All work shall be in accordance with plans by Granite State Engineering dated July 15, 2005 and revised through February 2, 2006, as received by the Department on February 7, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit is contingent on approval by the DES Site Specific Program.

4. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Water Division permitting staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
5. Work shall be done in dry conditions.
6. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
7. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition # 6 of this approval.
8. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Proper headwalls shall be constructed within seven days of culvert installation.
14. Culverts shall be laid at original grade.
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

DES also makes the following amended permit conditions relative to the waiver request:

16. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
17. No further time extension will be granted by the DES Wetlands Bureau for this project.

With Findings:

DES reaffirms original permit findings no.'s 1 - 8:

1. This is a minor impact project per Administrative Rule Wt 303.03(1), alteration of less than 200 linear feet of an intermittent stream.
2. The applicant addressed the concerns of the Alton Conservation Commission in a letter to the Department dated November 7, 2005, as received by the Department on November 8, 2005.
3. Due to site configuration the proposed access way is the only town approvable configuration without significant loss of buildable upland.
4. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
5. Two of the proposed crossings are to man made wetlands.
6. The applicant has provided squash pipes or elliptical culverts where requested and increased side slopes to 2:1 to avoid and minimize the impacts to jurisdiction.
7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
8. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

DES makes the following additional findings relative to the waiver request:

9. The applicant contacted DES in the fall of 2010, when the permit was reaching expiration to discuss extending the permit expiration deadline due to the poor economic conditions.
10. Administrative Rule Env-Wt 204.01 provides that waiver to rules are to accommodate those situations where strict adherence to the rules would not be in the best interest of the public or the environment.
11. On January 24, 2011, DES received a request for a waiver pursuant to Env-Wt 204.03.
12. Administrative Rule Env-Wt 204.04(a) provides that a request for a waiver shall be granted if granting the request will not result

in an adverse effect to the environment or natural resources of the state, public health, or public safety or an impact on abutting properties that is more significant than that which would result from complying with the rule.

13. Administrative Rule Env-wt 204.04(a) also provides that: (1) Granting the request is consistent with the intent and purpose of the rule being waived; and (2) Strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.

14. Permit 2005-01981 has an expiration date of February 10, 2011.

15. The applicant has indicated that lot sales have been hindered due to the recent economic slowdown, which slowed the progress of construction of phases 2 and 3.

16. To date only phase 1 of the subdivision has been constructed, including approximately 650 feet of roadway and impacting approximately 345 square feet of wetlands.

17. The applicant has requested a 3-year extension of the existing permit.

18. Compliance with the Env-Wt 502.01, Duration of a Permit, in this case would represent a burden and economic hardship to the applicant.

19. The applicant has provided the additional impact fees that are consistent with the current impact fee structure.

20. No further time extension will be granted by the DES Wetlands Bureau for this project.

21. Based on findings no.'s 9 through 20 DES has granted the waiver request and granted a onetime permit timeframe extension.

2006-01952 BRADY SULLIVAN LILAC VALLEY LLC
LACONIA Durkee Brook

Requested Action:

Approve name change to: Brady Sullivan Lilac Valley LLC, 670 N. commercial St. Sutie 303, Manchester, NH 03101 per request received 3/7/11. Previous owner: Snow Family Revoc. Trust.

APPROVE NAME CHANGE:

Dredge and fill 2752 square feet including the installation of a spanning structure over Durkee Brook for access in the subdivision of approximately 50 acres into a manufactured housing cluster subdivision of 60 units.

With Conditions:

1. All work shall be in accordance with plans by Holden Engineering and Surveying
 - a) Sheets 1-3 dated February 14, 2007, and revised through March 30, 2007 as received by the Department on April 3, 2007.
 - b) Sheets 20-25, and Sheets 39-44 dated January 24, 2006, and revised through February 15, 2007 as received by the Department on April 3, 2007.
 - c) Sheet 67 dated November 3, 2006, and revised through March 29, 2007 as received by the Department on April 3, 2007.
 - d) Sheet 68 dated November 3, 2006, as received by the Department on April 3, 2007.
 - e) Sheets 69 dated January 31, 2006, and revised through February 15, 2006 as received by the Department on April 3, 2007.
2. This permit is contingent on approval by the DES Alteration of Terrain.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau.
6. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, NH to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Work within Durkee Brook shall be done during low flow.
9. Work in all other jurisdictional areas shall be done during periods of non-flow.
10. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.

11. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
12. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
13. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
14. All work within the perennial stream shall be done from the top of bank. No equipment shall enter into jurisdictional areas.
15. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow., High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
16. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
17. Temporary cofferdams shall be entirely removed immediately following construction.
18. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
19. Proper headwalls shall be constructed within seven days of culvert installation.
20. The proposed posts for the boardwalk shall not be installed within the stream channels.
21. Boardwalk decking shall be spaced a minimum of 1-inch apart to allow for natural light under the boardwalk.
22. No equipment shall enter jurisdictional areas for work on the boardwalk.
23. Areas of temporary bank impact shall be regraded to original contours following completion of work.
24. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
25. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
26. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
27. Silt fencing must be removed once the area is stabilized.
28. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
29. A post-construction report documenting the status of the perennial stream crossing, including photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02.

2009-00428 TWIN BRIDGE MANAGEMENT LLC
NEW BOSTON Unnamed Wetland

Requested Action:

Approve amendment request to eliminate one (1) of the four (4) wetland crossings and revise the subdivision access through road to a cul-de-sac. The road revision will also combine the two (2) open space lots to a single lot. Original permit condition no.'s 5 - 7, which related to the original subdivision through road layout, were eliminated.

APPROVE AMENDMENT:

Dredge and fill \pm 6,400 sq. ft. of palustrine forested wetlands and intermittent stream to install a 36-in. x 50-ft. embedded RCP culvert, a 30-in. x 50-ft. embedded RCP culvert and a 4-ft. x 4-ft. x 72-ft. embedded box culvert (3 crossings) for cul-de-sac road access to a 26-lot subdivision on \pm 55.15 acres, including a \pm 35.8 acre open space lot.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated August 13, 2009, and revised through

- November 05, 2010, as received by the DES Wetlands Bureau on February 08, 2011 and plans by Meridian Land Services, Inc. dated January 22, 2009, and revised through November 10, 2010, as received by the DES Wetlands Bureau on February 08, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
 3. This permit is contingent on approval by the DES Alteration of Terrain Program.
 4. This permit is contingent on approval by the DES Shoreland Program.
 5. This permit is contingent upon compliance with the DES Wetlands Bureau Letter of Deficiency dated July 17, 2009, for DES Wetlands Bureau file no. 2009-01474.
 6. This permit is contingent on the receipt of post-development tax maps to be consistent with subdivision plans approved by this permit.
 7. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
 8. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition # 7 of this approval.
 9. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
 10. Work shall be done during low flow conditions.
 11. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
 12. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
 13. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters to prevent accidental encroachment on wetlands.
 14. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
 15. Proper headwalls shall be constructed within seven days of culvert installation.
 16. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
 17. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
 18. Post-construction photographs documenting the status of the completed crossings shall be submitted to the DES Wetlands Bureau within sixty (60) days of the completion of construction.

With Findings:

DES reaffirms the following original findings, No. 1 - 10 and 12 - 17:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. This permit approves wetland impacts associated with Phase II (final phase) of the proposed subdivision. Phase I wetland impacts were approved by Wetlands and Non-Site Specific Permit 2007-00667.
3. Wetlands and Non-Site Specific Permit 2007-00667 was amended to reduce the approved impacts from 3,442 sq. ft. to 2,432 sq. ft.
4. The NH Natural Heritage Bureau (NHB) review indicated the presence of brook floater mussel and Eastern hognose snake in the project vicinity.
5. In correspondence received March 23, 2009, the NH Division of Historical Resources indicated a Phase I survey was required.
6. In correspondence dated April 23, 2009, the Environmental Protection Agency (EPA) raised concerns regarding completion of a vernal pool survey, explanation of Piscataquog River buffer protection and possible NH Natural Heritage Bureau comments.
7. In correspondence dated April 27, 2009, the Piscataquog River Local Advisory Committee (PRLAC) raised concerns regarding the projects close proximity to the Piscataquog River, runoff, culvert sizing and impacts to brook floater mussels.
8. The originally submitted design was revised to reduce the acreage of residential lots to provide 34 acres of open space and increase buffers to the Piscataquog River. Project revisions also limited the use of a portion of the proposed road to emergency access only.
9. In correspondence dated the June 23, 2009, the Russell Foundation expressed support for the proposal and stated their involvement will continue to ensure the designated open space is transferred to the appropriate conservation interests.
10. In email correspondence dated July 13, 2009, both the EPA and NHFG Nongame and Endangered Species Program indicated

they did not have concerns regarding the revised proposal.

11. DES Staff conducted a field inspection of the proposed project on June 30, 2009. Field inspection determined possible DES Wetlands Bureau and Alteration of Terrain Program violations.

12. This permit is contingent upon compliance with the DES Wetlands Bureau Letter of Deficiency dated July 17, 2009, for DES Wetlands Bureau file no. 2009-01474.

13. This permit is contingent on approval by the DES Alteration of Terrain Program, DES Shoreland Program and DES Subsurface Systems Bureau.

14. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

15. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

16. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

DES also makes the following additional findings:

17. An amendment request was received on February 08, 2011, to eliminate one (1) of the four (4) wetland crossings by revising the subdivision access through road to a cul-de-sac.

18. The wetland crossing eliminated by the amended road construction is the crossing that was proposed for construction in the protected shoreland.

19. The road construction revision will combine the two (2) open space lots to a single lot.

MINIMUM IMPACT PROJECT

2010-00717 LECLAIRE, RONALD
HINSDALE Unnamed Pond

Requested Action:

Deny permit request to maintenance dredge an existing 14,000 sq. ft. pond.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Deny permit request to maintenance dredge an existing 14,000 sq. ft. pond.

With Findings:

1. A request for additional information dated July 27, 2010, addressed to the applicant or agent of record, clearly identified the requirement that the applicant to submit additional information to DES within 60 days of the request.

2. Pursuant to RSA 482-A:3, XIV(a) (1), if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.

3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.

2010-02194 MURITH, ARTHUR
CLAREMONT Unnamed Wetland

Requested Action:

Deny permit request to dredge and fill \pm 1,140 sq. ft. of wetlands for access road construction to a proposed self storage expansion.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Deny permit request to dredge and fill \pm 1,140 sq. ft. of wetlands for access road construction to a proposed self storage expansion.

With Findings:

1. A request for additional information dated November 02, 2010, addressed to the applicant or agent of record, clearly identified the requirement that the applicant to submit additional information to DES within 60 days of the request.
2. Pursuant to RSA 482-A:3, XIV(a) (1), if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.

2011-00328 EGAN, KEVIN/SUSAN
MILTON Depot Pond

Requested Action:

Applicant requests to construct a 225 sq ft perched beach impacting approximately 1120 sq ft of bank on 245 ft of frontage on Depot Pond, in Milton.

Conservation Commission/Staff Comments:

No comments from local Conservation Commission by 03/08/2011

DENY PERMIT:

Applicant requests to construct a 225 sq ft perched beach impacting approximately 1120 sq ft of bank on 245 ft of frontage on Depot Pond, in Milton.

With Findings:

Standards of Approval

1. In accordance with RSA 482-A:3, Excavating and Dredging Permits, "[n]o person shall excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp, or in an adjacent to any waters of the state without a permit from the department."
2. This project is classified as a minimum impact per Rule Env-Wt 303.04(d), construction of a perched beach.
3. In accordance with RSA 483-B:3, Consistency Required, I, All state agencies shall perform their responsibilities in a manner consistent with the intent of this chapter. State and local permits for work within the protected shorelands shall be issued only when consistent with the policies of this chapter.
4. In accordance with Env-Wq 1405.05 Slope Limitation for Accessory Structures. No accessory structure shall be built on or into land having greater than 25% slope.

Findings of Fact

1. On February 09, 2011, the Wetlands Bureau received an application for impacts, on the lot identified as Milford tax map 38, lot 63, (the "Lot") to construct a 225 sq ft perched beach impacting approximately 1120 sq ft of bank on Depot Pond.
2. The plans submitted with the application materials indicates the excavation of approximately 10 vertical feet of bank and construction of a perched beach within in the bank and protected shorelands that would impact an area having a slope of approximately 40%.

Rulings in Support of Denial

1. The proposed construction exceeds limits specified in Env-Wq 1405.05, therefore the application is denied.
2. The proposal to construct a perched beach in slopes of excess of 25% is not consistent with the intent of the Comprehensive Shoreland Protection Act, RSA 483-B:3, therefore the application is denied.

2011-00373 DANOFF, DOUGLAS
DEERFIELD Northwod Lake

Requested Action:

Repair existing 37 linear feet of retaining wall that is performed in the dry during drawdown and that results in no change in height, length, location or configuration in accordance with revised plans dated March 04, 2011, on Northwood Lake, Deerfield.

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair existing 37 linear feet of retaining wall that is performed in the dry during drawdown and that results in no change in height, length, location or configuration in accordance with revised plans dated March 04, 2011, on Northwood Lake, Deerfield.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), repair existing retaining wall in kind with no change in dimensions or configuration.

FORESTRY NOTIFICATION

2011-00447 HUDSON FIVE LLC
HUDSON Unnamed Stream

COMPLETE NOTIFICATION:

Hudson Tax Map 147, Lot# 24

2011-00459 BUSHWAY, SHAWN
CHARLESTOWN Unnamed Stream

COMPLETE NOTIFICATION:

Charlestown Tax Map 236, Lot# 16

2011-00462 CROWLEY, CHRISTOPHER
ORFORD Unnamed Stream

COMPLETE NOTIFICATION:

Orford Tax Map 8-110, Lot# 5

2011-00472 HERTEL, VAN
MADISON Unnamed Stream

COMPLETE NOTIFICATION:

Madison Tax Map 249, Lot# 18

2011-00473 MEADER, DWIGHT
ROCHESTER Unnamed Stream

COMPLETE NOTIFICATION:
Rochester Tax Map 247, Lot# 61

EXPEDITED MINIMUM

2010-02666 REED, AMANDA
EPSOM Unnamed Pond

Requested Action:

Deny permit request to dredge \pm 5,000 sq. ft. of wetlands/pond.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Deny permit request to dredge \pm 5,000 sq. ft. of wetlands/pond.

With Findings:

1. A request for additional information dated November 18, 2010, addressed to the applicant or agent of record, clearly identified the requirement that the applicant to submit additional information to DES within 60 days of the request.
2. Pursuant to RSA 482-A:3, XIV(a) (1), if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.

2010-02991 WOODSTOCK, TOWN OF
WOODSTOCK Unnamed Wetland

Requested Action:

Maintenance dredge 2,220 square feet of an existing drainage swale.

APPROVE PERMIT:

Maintenance dredge 2,220 square feet of an existing drainage swale.

With Conditions:

1. All work shall be in accordance with plans by Hinds Septic Design Services entitled Dredge and Fill Wetlands Application dated September 20, 2010 and revised February 01, 2011 as received by DES on February 01, 2011.
2. This permit is contingent on review and approval, by the DES Wetlands Bureau, of a water diversion plan and a site stabilization plan. Those plans shall detail the timing and method of flow diversion during construction, temporary siltation/erosion/turbidity control measures and show permanent ditch stabilization methods to be implemented.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Work shall be done during periods of no or low flow.
7. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

9. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
14. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minimum impact project per Env-Wt 303.04 (k) Maintenance dredging, when necessary to provide continued usefulness of nontidal drainage ditches, man-made ponds, and spillways, provided that: (1) The work is done within the original bounds of a legally-constructed project; (2) The project is not located in or adjacent to prime wetlands; (3) The work does not exceed 20,000 square feet; and (4) For man-made ponds, the pond has not been abandoned as defined in Env-Wt 101.01;
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has provided a letter from the owners of Woodstock tax map 111 lot 2, agreeing to the proposed project occurring within 20 feet of their land.
5. The applicant has provided a letter from the NH Department of Transportation, agreeing to the proposed project occurring within 20 feet of their land. The NH Department of Transportation further stated that no work shall occur in their Right-of-Way.
6. The Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.
7. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.

2010-03437 LEMIEUX REVOCABLE TRUST
PELHAM Unnamed Wetland

Requested Action:

Impact 1,637 square feet within the bed and banks of an intermittent stream to install a 6-foot by 2-foot open bottom box culvert associated with the construction of a roadway for access to two (2) cul de sacs as part of an 18-lot residential subdivision of approximately 35.5 acres with approximately 16.88 acres reserved in perpetuity as open space.

Conservation Commission/Staff Comments:

The Pelham Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact 1,637 square feet within the bed and banks of an intermittent stream to install a 6-foot by 2-foot open bottom box culvert associated with the construction of a roadway for access to two (2) cul de sacs as part of an 18-lot residential subdivision of approximately 35.5 acres with approximately 16.88 acres reserved in perpetuity as open space.

With Conditions:

1. All work shall be in accordance with plans by Meisner Brem Corporation dated March 5, 2010 and revised through August 15, 2010, as received by the NH Department of Environmental Services (DES) on February 8, 2011.
2. NH DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
3. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.

5. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
6. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
7. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #6 of this approval.
8. This permit shall not be effective until it has been recorded with the Hillsborough County Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested.
9. Work shall be done during seasonal low flow conditions.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
11. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2011-00144 SAVAGE, ALAN
LANCASTER Unnamed Wetland

Requested Action:

Dredge and fill 2,475 square feet of previously disturbed wetlands to improve an existing hayfield.

APPROVE PERMIT:

Dredge and fill 2,475 square feet of previously disturbed wetlands to improve an existing hayfield.

With Conditions:

1. All work shall be done in accordance with plans by Alan Savage, as received by the NH Department of Environmental Services (DES) on January 14, 2011.
2. All work shall adhere to the standards of the "Best Management Wetlands Practices for Agriculture," NH Dept. of Agriculture, September 1998.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Any change in use to a non-agricultural purpose will require further permitting by the DES Wetlands Bureau.
6. This permit shall be recorded with the county Registry of Deeds office by the permittee.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and

mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), as wetland impacts are less than 3,000 square feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

GOLD DREDGE

2011-00460 BROOKS, BRUCE
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2011-00463 BASNAR, DOUGLAS
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2011-00464 KOSKA, JOHN
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2011-00475 DESJARDINS, KENNETH
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath ConCom

ROADWAY MAINTENANCE NOTIF

2011-00489 NH DEPT OF TRANSPORTATION
MILFORD Unnamed Stream

2011-00491 NH DEPT OF TRANSPORTATION
AMHERST Unnamed Wetland Unnamed Stream

CSPA PERMIT

2009-02596 MCNEALY, JOHN/KATHLEEN
RINDGE Pearly Lake

Requested Action:

AMENDMENT DESCRIPTION: Revised plans submitted March 9, 2011 to modify the location of house and driveway.

Impact 3,978 sq ft to construct a single family dwelling with a 714 sq ft footprint, and driveway of 1,381 sq ft.

APPROVE AMENDMENT:

AMENDMENT DESCRIPTION: Revised plans submitted March 9, 2011 to modify the location of house and driveway.

Impact 3,978 sq ft to construct a single family dwelling with a 714 sq ft footprint, and driveway of 1,381 sq ft.

With Conditions:

1. All work shall be in accordance with plans by Forest Designs dated October 21, 2009 and received by the Department of Environmental Services ("DES") on November 2, 2009.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau."
3. No more than 29% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 0 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 0 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00306 EGAN, KEVIN/SUSAN
MILTON Milton Pond

Requested Action:

Impact 9,740 sq ft in order to construct a house with driveway and septic system.

APPROVE PERMIT:

Impact 9,740 sq ft in order to construct a house with driveway and septic system.

With Conditions:

1. All work shall be in accordance with plans by Varney Engineering, LLC dated February 28, 2011 and received by the NH Department of Environmental Services (DES) on March 4, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 11% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 7,166 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. No work may be conducted within the jurisdiction of the Wetlands Bureau until a wetlands permit has been obtained in accordance with RSA 482-A.

2011-00347 WILLIAM SMITH WOODWARD REV TRUST OF 2002
DURHAM Oyster River

Requested Action:

Impact approximately 46,317 sq ft (13,058 sq ft permanent impacts and 33,259 sq ft temporary impacts) to construct a multi-unit dormitory housing project for the University of New Hampshire.

APPROVE PERMIT:

Impact approximately 46,317 sq ft (13,058 sq ft permanent impacts and 33,259 sq ft temporary impacts) to construct a multi-unit dormitory housing project for the University of New Hampshire.

With Conditions:

1. All work shall be in accordance with plans by Appledore Engineering dated February 4, 2011 and received by the NH Department of Environmental Services (DES) on February 11, 2011.
2. No more than 3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 175,533 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 87,767 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
6. This permit is contingent on approval by the DES Wetlands Bureau.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the

site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2011-00359 ZAMPELL, JAMES & CHRISTINE
WOLFEBORO Lake Winnepesaukee

Requested Action:

Impact 5,934 sq ft in order to replace a 2 bedroom residence with 4 bedroom residence and replace portions of gravel driveway with permeable pavement.

APPROVE PERMIT:

Impact 5,934 sq ft in order to replace a 2 bedroom residence with 4 bedroom residence and replace portions of gravel driveway with permeable pavement.

With Conditions:

1. All work shall be in accordance with plans by Land Technical Service Corp. dated February 10, 2011 and received by the NH Department of Environmental Services (DES) on February 15, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 27% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 1,581 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
7. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.

2011-00369 WILDER RIDGE ESTATES LLC
WEST LEBANON Connecticut River

Requested Action:

Impact 5,597 sq ft (3,360 sq ft of permanent impacts and 2,337 sq ft of temporary impacts) for the purpose of constructing a gravel driveway entrance and 30 ft x 100 ft impervious landing on the properties. Approximately 2,400 sq ft of permanent impacts to occur on Tax Map 7 Lot 9 and approximately 960 sq ft of permanent impacts to occur on Tax Map 7 Lot 10.

APPROVE PERMIT:

Impact 5,597 sq ft (3,360 sq ft of permanent impacts and 2,337 sq ft of temporary impacts) for the purpose of constructing a gravel driveway entrance and 30 ft x 100 ft impervious landing on the properties. Approximately 2,400 sq ft of permanent impacts to occur on Tax Map 7 Lot 9 and approximately 960 sq ft of permanent impacts to occur on Tax Map 7 Lot 10.

With Conditions:

1. All work shall be in accordance with plans by Pathways Consulting, LLC dated January 28, 2011 and received by the NH Department of Environmental Services (DES) on February 15, 2011.
2. Any further alteration of areas on these properties that are within the jurisdiction of the DES Wetlands Bureau or Shoreland Program will require a new application and further permitting by the Department.
3. No more than 18.5% of the area of the Lot #9 and 4.0% of Lot #10 within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Timber harvesting operations on the properties shall be conducted in accordance with RSA 485-A:17, IV and the "Best Management Practices for Erosion Control on Timber Harvesting Operations in New Hampshire" published by the NH Department of Resources & Economic Development.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. No stumps shall be removed within protected shoreland per RSA 483-B without additional approval from the Department.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. On February 15, 2011, the Department received a Shoreland Application prepared by Pathways Consulting LLC, on behalf of Wilder Ridge Estates LLC, for the purpose of constructing a gravel driveway entrance and 30 ft x 100 ft impervious landing within the Protected Shoreland.
2. On February 16, 2011, the Department notified the Connecticut River Joint Commissions and other interested parties of the pending application. The notification outlined a 25 day (March 11, 2011) deadline for receipt of comments from the LAC.
3. On March 10, 2011, the Department received a letter from the Upper Valley River Subcommittee of the Connecticut River Joint Commission stating there concerns with include the following:
 - a.) The application material provided did not identify what percentage of the site within either the 150 ft or 250 ft protected will remain wooded.
 - b.) The application did not indicate how long temporary impacts will last and what plans have been made to restore the temporary impacted property.
 - c.) The lumbering operation must follow best management practices and take extra care and consideration should be given to the location of any skid roads and potential erosion issues.
 - d.) Approval of the proposed project should notify the applicant that the permit is only valid for the purposes described, further developments will require additional permitting.
- 4.) Pursuant to RSA 483-B:5(b), "Timber harvesting operations permitting requirements shall be in accordance with RSA 485-A:17, IV and therefore shall be exempt from the permitting requirement under paragraph I."
- 5.) Pursuant to Condition # 8 of the Shoreland Permit, "Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1."
- 6.) The proposed methods to stabilize any temporary impacted areas are included within the Erosion Control Specification notes on the plan prepared by Pathways Consulting, LLC dated January 28, 2011.
7. Pursuant to Condition #2 of the Shoreland permit, "Any further alteration of areas on these properties that are within the jurisdiction of the DES Wetlands Bureau or Shoreland Program will require a new application and further permitting by the Department."

Requested Action:

Impact 432 sq ft in order to extend an existing deck located within the natural woodland buffer.

APPROVE PERMIT:

Impact 432 sq ft in order to extend an existing deck located within the natural woodland buffer.

With Conditions:

1. All work shall be in accordance with plans by Patrick Gagne dated February 14, 2011 and received by the NH Department of Environmental Services (DES) on February 22, 2011.
2. No more than 13% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 1,760 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00411 NEW HAMPSHIRE ELECTRIC CO.
PLYMOUTH Pemigewasset River

Requested Action:

Impact 11,500 sq ft in order to rebuild electric distribution substation.

APPROVE PERMIT:

Impact 11,500 sq ft in order to rebuild electric distribution substation.

With Conditions:

1. All work shall be in accordance with plans by David M. Dolan, Associates, PC dated February 21, 2011 and received by the NH Department of Environmental Services (DES) on February 24, 2011.
2. No more than 28.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 2,600 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. On February 24, 2011 the Department received a Shoreland Application from New Hampshire Electric Cooperative, Inc. for the

purpose of rebuilding an electric distribution substation by removing all structures and installing new concrete pads and support structures within the Protected Shoreland.

2. On March 2, 2011 the Department received a letter from the Pemigewasset River Local Advisory Committee stating they believed that the Woodland Buffer should be planted to meet the minimum requirement of 6,187 sq ft of unaltered area instead of the proposed 2,600 sq ft that currently exist.

3. On March 3, 2011 the Department received a response from David M. Dolan Associates stating that the property was previously disturbed leaving only 2,600 sq ft in an unaltered state. The remaining 2,600 sq ft will be maintained as unaltered area.

4. The existing level of disturbance and clearing may be maintained as altered area based upon the fact that the property was developed prior to July 1, 2008, per RSA 483-B:9, V, (b) (2).

2011-00412 VITAS, JIM
PELHAM Beaver Brook

Requested Action:

Impact 42,253 sq ft in order to construct a commercial building with associated parking, sewer, drainage and well.

APPROVE PERMIT:

Impact 42,253 sq ft in order to construct commercial building with associated parking, sewer, drainage and well.

With Conditions:

1. All work shall be in accordance with plans by Allen & Major Associates, Inc. dated February 23, 2011 and received by the NH Department of Environmental Services (DES) on February 24, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 25.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 13,077 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00416 DEGREGORY, LISA/RICHARD
LACONIA Winnisquam Lake

Requested Action:

Impact 6,895 sq ft in order to construct a garage, modify existing driveway, add walkways and patios, remove and repair retaining walls within the waterfront buffer.

APPROVE PERMIT:

Impact 6,895 sq ft in order to construct a garage, modify existing driveway, add walkways and patios, remove and repair retaining walls within the waterfront buffer.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated February 16, 2011 and received by the NH Department of Environmental Services (DES) on February 25, 2011.
2. No more than 29.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 2,100 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00417 JEAN H FROST TRUST
WOLFEBORO Lake Winnepesaukee

Requested Action:

Impact 2,119 sq ft for the purpose of replacing the foundation under an existing dwelling located within the waterfront buffer and replacement in-kind of an existing flagstone patio.

APPROVE PERMIT:

Impact 2,119 sq ft for the purpose of replacing the foundation under an existing dwelling located within the waterfront buffer and replacement in-kind of an existing flagstone patio.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey Co., Inc dated February 23, 2011 and received by the NH Department of Environmental Services (DES) on February 25, 2011.
2. No more than 24.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00428 JOHNSON, SCOTT
FREEDOM Ossipee Lake

Requested Action:

Impact 1,560 sq ft in order replace existing pathway toward the reference line and add a seating area with a retaining wall.

APPROVE PERMIT:

Impact 1,560 sq ft in order replace existing pathway toward the reference line and add a seating area with a retaining wall.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey Co., Inc. dated February 15, 2011 and received by the NH Department of Environmental Services (DES) on March 1, 2011.
2. No more than 11.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 7,007 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00439 SULLIVAN, KRISTEN
BRISTOL Newfound Lake

Requested Action:

Impact 5,016 sq ft in order to raze an existing house and construct a new 2 bedroom house with deck, septic, and driveway located behind the 50 building setback line.

APPROVE PERMIT:

Impact 5,016 sq ft in order to raze an existing house and construct a new 2 bedroom house with deck, septic, and driveway located behind the 50 building setback line.

With Conditions:

1. All work shall be in accordance with plans by Scott Giles, PLS dated February 25, 2011 and received by the NH Department of Environmental Services (DES) on March 3, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 20% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 1,670 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00452 HERRMANN, JOSEF/KATHARINA
GILFORD Lake Winnepesaukee

Requested Action:

Imapct 660 sq ft in order to add addition to an existing cottage.

APPROVE PERMIT:

Imapct 660 sq ft in order to add addition to an existing cottage.

With Conditions:

1. All work shall be in accordance with plans by Joseph & Katharina Herrmann dated March 1, 2011 and received by the NH Department of Environmental Services (DES) on March 3, 2011.
2. No more than 1.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 3,750 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

CSPA PERMIT W/WAIVER

2011-00432 WILCO REALTY LLC
KEENE Ash Swamp Brook

Requested Action:

Impact an existing developed lot for the purpose of constructing two entry additions and associated sidewalks to an existing commercial building and restoring 350 sq ft to pervious conditions.

APPROVE PERMIT:

Impact an existing developed lot for the purpose of constructing two entry additions and associated sidewalks to an existing commercial building and restoring 350 sq ft to pervious conditions.

WAIVER APPROVED: RSA 483-B:9, V(g)(1) is waived to allow the expansion of a primary structure on a lot within the protected shoreland that exceeds 30% impervious surface coverage.

With Conditions:

1. All work shall be in accordance with plans by Brickstone Land Use Consultants, LLC dated February 18, 2011 and received by the NH Department of Environmental Services (DES) on March 2, 2011.
2. This approval includes a waiver of RSA 483-B:9, V (g)(1), and therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 51.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. The existing non-conforming structure is located on a lot that exceeds 30% impervious surface coverage within the protected shoreland adjacent to the Ash Swamp Brook and, therefore, fails to conform to the impervious surface limitation set forth in RSA 483-B:9, V (g)(1), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to decrease the overall impervious surface area within the protected shoreland by 350 sq ft.
4. The applicant has proposed to decrease impervious surface coverage within the protected shoreland, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

UTILITY NOTIFICATION

2011-00487 PSNH
HUDSON Unnamed Stream Unnamed Wetland

Conservation Commission/Staff Comments:
see file 2011-11 for fee info